



TOWN OF UXBRIDGE  
CONSERVATION COMMISSION  
21 SOUTH MAIN STREET  
UXBRIDGE, MASSACHUSETTS 01569  
508-278-8600, x 2013

MEETING MINUTES

March 7, 2011

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*Please note some items may have been taken out of agenda order.*

Minutes of the Uxbridge Conservation Commission regular meeting held on **Monday, March 7, 2011**, at 7:00 P.M. in the Board of Selectmen's Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:

**Conservation Commission Board Members Present:** Chairman Al Jones, Russell Holden, Dave Lewcon, Harold Klei, Larry Lench and Michael Potaski arrived at 7:14 pm.

**Others present:** Donna C. Hardy, Conservation Commission Administrative Assistant

**Old Business**

**Public Hearings ~ none**

**Violations/Potential Violations ~ none**

**Other:**

**56 King Street (Map 53, Parcel 1621)** – The Conservation Commission office received an email on February 21, 2011 from Mr. Michael Lefebvre, resident on 56 King Street. Email response: Last year, the power company put in a new gravel road under the power line. While doing this, they have blocked the natural flow of a stream in my backyard. Now I have standing water in my yard, where there never was. Is it legal for them to do this and what are my options? The power company came on my property and marked the land where there are wetlands, where once there were none. When Mr. Lefebvre purchased this property 3 years ago, there were no wetlands, but now the power company has created new wetlands. Commissioner Holden conducted a site visit. It appears that two (2) intermittent streams cross the roadway and cross right into Hale Swamp. Orange flagging has been placed around the wetland perimeter. Commissioner Holden noted that one area of concern is the water that is moving across the backyard. It appears that there is a small pipe that is washing over onto TransCanada's property. The Commission request Ms. Hardy to contact TransCanada to inquire how the culvert was placed on the road and how the resurfacing went on the location. The Commission shall continue discussions to the next scheduled meeting.

**Uxbridge Wetlands Bylaw** - Commissioner Holden expressed to the Commission to write up a separate wetlands bylaw for the Town of Uxbridge. Copies of the Wetland Bylaws for the Town of Sutton and the Town of Milford were both supplied to the Commissioners to provide examples. Commissioner Holden suggested 3 areas of concerns that should be included in having an Uxbridge Wetlands Bylaw, such as 1) Jurisdiction 2) Enforcement and 3) Definition. A comment was discussed of what other town has three (3) major rivers running through it. Research will be continued, to review a few others nearby towns with wetland bylaws. The Commission shall continue discussions to the next scheduled meeting.

**NEW BUSINESS:**

**Public Hearings:**

**RDA FY11-07 – Uxbridge DPW, Quaker Highway, Route 146A** – Proposes to install approximately 5,000 linear feet of 20-inch diameter water main on Quaker Highway, Route 146A to connect the Rosenfeld Pump Station to the Town's existing distribution system at Crownshield Avenue. Ms. Stephanie Tavares with Tata & Howard was present and spoke on behalf of the applicant. Commissioner Klei inquired to the Commission, if he needs to recuse himself, since he is a resident on Quaker Highway. The Commissioners agreed that Commissioner Klei did not need to recuse himself, since he is not a direct abutter to the property. Ms. Tavares

indicated that there is a slight change to the project designs. The change is the alignment of the water main and added a culvert crossing. The erosion controls will include: hay bales and silt fence extending about eight-hundred feet (800') near 193 Quaker Highway and silt sacks to be placed along the catch basins, along the length of the roadway sedimentation basin. A crossing will be under Mill Street and the pipe will be capped for any future development for the southern part the Town. Additional stationing of erosion control of a biodegradable mat will be placed approximately three-hundred feet (300') (where the vegetation and swale is located), along 117-129 Quaker Hwy, 168 Quaker Hwy and 193 Quaker Hwy. Commissioner Lewcon mentioned MA-DEP has previously indicated no to hay bales. Commissioner Klei suggested mulch tubing and to move it along with the project and to also include seed mating at site. Following discussion, **MOTION** made by Mr. Klei to continue discussions for **RDA FY11-07 – Uxbridge DPW, Quaker Highway, Route 146A** to the next scheduled meeting. Seconded by Mr. Lench, the motion carried unanimously.

**DEP #312-922, NOI, Flagg RV, 865 Quaker Highway (Map 50, Parcel 4024)** - Construction of a corner of an impervious parking area, well, utilities & stormwater management basin (including a spillway weir) to collect & discharge stormwater runoff resulting from the construction of 2 buildings, the remainder of the proposed parking areas & access driveway located outside of the 100' buffer zone. Mr. Paul Hutnak with Heritage Design Group and Mr. Steven Flagg, the applicant with Flagg RV were both present. Mr. Hutnak spoke on behalf of the applicant. A low flow outlet device has been incorporated into the design. With this design, a 2-inch hole is drilled into the endcap of a 6-inch PVC (Polyvinyl Chloride) pipe located at the base of the berm on the outside slope. With this insignificant outflow (0.04 cubic feet per second or cfs during a 2-year storm), the basin will discharge in the allowable time and provide an extended period of time so as to allow the basin to recharge the groundwater. During a 100 year storm event, the low flow outlet will only discharge 0.07 cfs. The weir shown on the basin will only discharge stormwater in the event of a rainfall in excess of a 100 year storm event. Notification was received by Natural Heritage & Endangered Species Program (NHESP) stating that his project will not adversely affect the actual Resource Area Habitat and that the project meets the state-listed species performance standard. Site walk scheduled on Friday, March 11, 2011. Following discussion, **MOTION** made by Mr. Klei to continue discussions for **DEP #312-922, NOI, Flagg RV, 865 Quaker Highway** to the next scheduled meeting. Seconded by Mr. Potaski, the motion carried unanimously.

**DEP #312-921, NOI, 3P Properties LLC, 52 Commerce Drive (Map 40, Parcel 3725)** - The proposed project involves installation of ground mount solar panels & associated utility connections within the buffer zone of the bordering vegetated wetland. Mr. Paul Hutnak with Heritage Design Group was present and spoke on behalf of the applicant. Following discussion, **MOTION** by Mr. Klei to close the Public Hearing for **DEP #312-921, NOI, 3P Properties LLC, 52 Commerce Drive** and to issue a standard Order of Conditions. Seconded by Mr. Lewcon, the motion carried unanimously.

#### **Violations/Potential Violations:**

**Ledgemere Country IV (Map 29, Parcels 728, 3053, 3153, 3866)** – Mr. Donald Seaburg with Benchmark Engineering was present and spoke on behalf of the applicant. The Conservation Commission office received e-mail correspondence from Mr. Joseph Bellino with MA-DEP suggesting in the spring 2011, Benchmark Engineering review Corrective Action Measures that were to be completed for Basins A & B as originally proposed. Mr. Bellino recommended the preparation of a brief summary report submitted to MA-DEP and the Uxbridge Conservation Commission and a site visit scheduled to go over the findings. The Commission discussed these violations. The Commission shall continue discussions to the next scheduled meeting.

Mr. Klei recused himself.

#### **Other:**

**Lot 15B, Crownshield Avenue (Map 29, Parcel 4829)** - Mr. Donald Seaburg with Benchmark Engineering was present. Mr. Seaburg mentioned a Certificate of Compliance application shall be filed soon. The Commission discussed that a site visit will be conducted once the snow/ice has melted. Mr. Klei, abutting resident on 105 Quaker Highway came forward to discuss this property. A new boulder wall was put in during construction of the basin, ledge was hit while excavating basin, and boulders were not removed. These boulders

The developer hasn't constructed the dam and the catch basin to divert it, because the bottom of the basin didn't get vegetated before winter and the developer didn't want to introduce a lot of water to get it stirred up. Area will be reseeded in the spring and once it's stabilized more water will be directed towards the basin. Mr. Klei suggested to Mr. Seaburg that the brick work that connects to the plastic pipe that runs to the plunge pool should be re-examined, it appears to be deteriorating. Chairman Jones commented that prior to issuing a Certificate of Compliance for this property; a site visit will need to be conducted.

Mr. Harold Klei returned to the meeting.

**MINUTES. MOTION** by Mr. Klei to approve the Conservation Commission Meeting Minutes dated February 22, 2011. Seconded by Mr. Holden, the motion carried 4-0-2.

**Other:**

**DEP #312-879, Request for Certificate of Compliance, Algonquin Gas Transmission LLC, Chestnut Street to Route 146A (Map 55 / 45, Parcels 251 / 3525,3658 & 4321) -** Cathodic protection system design for the natural gas pipelines located between Chestnut St & Route 146A. The Commission shall continue discussions to the next scheduled meeting.

**316 Crownshield Avenue (Map 29, Parcel 4075) –** Resident proposes an addition to the house & needs a signature on the building permit from the Commission. The Commission requests a copy of the site plans for review. A stream is located near the property; however it's undetermined of the exact placement. The Commission shall continue discussions to the next scheduled meeting.

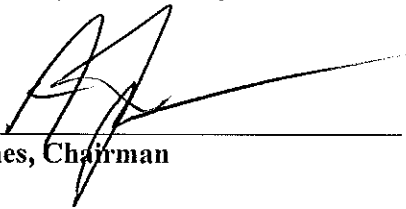
**Pout Pond/Legg Farm –** Along the West River Road, there is a rest area that abuts the property drainage across from Easy Street. The issue with this rest area is that it appears that motorists are pulling off the road and illegally dumping material (white goods, etc.) and yard waste over the edge. Following discussion, **MOTION** by Mr. Lewcon to coordinate with the Uxbridge DPW, to close the area as best as possible by positioning the current boulders on the rest area to be moved closer to the edge of the road in order to discourage parking and illegal dumping. Seconded by Mr. Potaski, the motion carried unanimously. Last fall, Mr. Holden, Mr. Lewcon and Ms. Marianne Piche, a Habitat Management Biologist with Division of Fisheries & Wildlife visited Pout Pond & Legg Farm trails. Coming along the trail to the Pout Pond ball field, it appears that the ball field is being treated with lawn treatment. It appears to be a very lush green lawn with no weeds. Mr. Lewcon has contacted the Recreation Commission to discuss and the Recreation Commission is unsure. ~~The road that leads up to the ball field is West River Road.~~ Several photos have been taken of several washouts on that access road. Mr. Lewcon believes that chemical runoff are flowing down to the West River and then crossing the street onto West River Road. Mr. Potaski commented that the governance of the Commission would allow us to vote to restrict, however an assumption is being made that chemicals are being treated on the lawn and the assumed materials are washing into the West River. The suggestion made would be to have the soil tested for chemical treatment, etc. Mr. Holden's concern is that if the lawn is being treated, it's likely to be an individual associated with the Uxbridge Youth Baseball. Mr. Lewcon will continue to research this topic and discussions shall continue at a future meeting. The Work Camper program process has progressed, discussions to shall continue at future meetings.

**Douglas Street (Summerfield/Taft Hill Lane) (Map 23, Parcel 4435) –** Mr. Klei has driven that road several times and no water is on Route 16. Recently, the state did some clearing of the culverts on Route 146 and believes that the rain events that occurred afterward caused the excess amount of water.

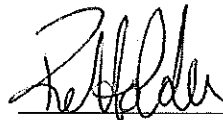
**Mountainview Estates (Map 41, Parcels 1827, 1832, 1858, 1876, 1895, 1941 and 1977) –** Mr. Lench did a site visit on this property and noticed water coming underneath the hay bales and into the street.

**MOTION** by Mr. Potaski to adjourn the meeting at 9:40 P.M. Seconded by Mr. Lench, the motion carried unanimously.

Respectfully Submitted by Donna C. Hardy, Conservation Commission Administrative Assistant.

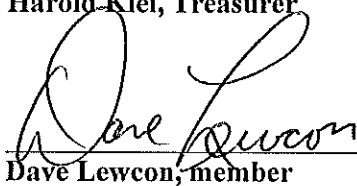


Al Jones, Chairman

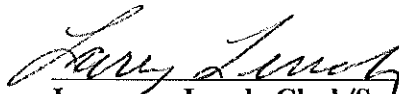


Russell Holden, Vice-Chair

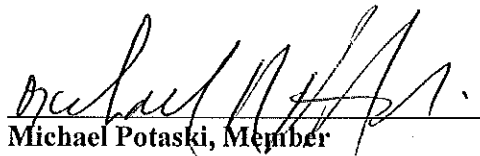
Harold Klei, Treasurer



Dave Lewcon, member



Lawrence Lench, Clerk/Secretary



Michael Potaski, Member

4/4/2011

Date